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Letter dated 27 December 2011 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith a letter from Hoshyar Zebari, Minister for Foreign Affairs of the Republic of Iraq, dated 21 December 2011, addressed to the President of the Security Council regarding compensation issues (see annex).

I would appreciate if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) T. Hamid **Al-Bayati**
Ambassador
Permanent Representative

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Annex to the letter dated 27 December 2011 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council

[Original: Arabic]

I should like to congratulate you on the assumption by the Russian Federation of the Presidency of the Security Council for December 2011, and express my confidence that the term of your Presidency will be successful. I should also like to assure you that the Republic of Iraq is eager to support the efforts of the Security Council to bring peace to the world and resolve all pending issues. In that regard, I should like to note that, some time ago, the Government of Iraq submitted a request for access to the complete archives of requests for compensation that were submitted to the United Nations Compensation Committee. Such access is important in respect of court claims that have been made by certain persons before the Iraqi courts relating to requests for compensation arising from damage sustained as a result of the 1990 war. A decision on those claims is pending a final decision from the United Nations Compensation Committee as to whether it will award compensation. Access to the archive is necessary in order to avoid duplication in respect of such claims and compensation.

We should also like to refer to the fact that Iraq has lost many of the documents relating to the compensation file as a consequence of the events that have taken place in the country, and that decisions made by the Governing Council of the United Nations Compensation Committee gave Iraq the right to see requests submitted to the Committee, express an opinion thereon and be advised in that regard. While the Committee agreed to provide us with the claims archives, it has only given us information on claims from States and institutions in groups E and F, and none on claims from the individuals in groups A, B, C and D, saying that it was unable to do so because of the implementation of the archive policy and its destruction seven years after payment of the compensation. Furthermore, there were certain restrictions on the information that could be provided because of the need to respect confidentiality.

It is of the greatest importance to Iraq that it should be able to obtain a copy of those archives, since it was on the basis of their contents that huge sums of money have been paid out, having a negative impact on the economy of the country that continues to the present day. We ask for your support in our request for access to this archive, affirming our readiness to appoint local staff to assist the secretariat of the United Nations Compensation Committee in the preparations for making a copy of those archives available to us, thereby enabling us to close that file, along with other files that are pending with Kuwait and comply with the relevant Security Council resolutions.

(*Signed*) Hoshyar **Zebari**
Minister for Foreign Affairs